

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6674 of 2017

Arising Out of PS.Case No. -293 Year- 2016 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Malti Devi, wife of Hareshwar Pandey @ Harkeshwar Pandey &
 2. Rahul Pandey, son of Hareshwar Pandey @ Harkeshwar Pandey, both
resident of village-Parsauni, P.S.-Nautan, District- West Champaran
.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 01-05-2017

Heard learned counsel for the Petitioners and the
State.

The Petitioners apprehend their arrest in Nautan
P.S. Case No.293 of 2016 instituted for the offence under
Section(s) 341, 323, 354-B, 279, 504/34 Indian Penal Code.

It has been submitted on behalf of the petitioners
that no injury has been caused to the informant. As a matter of
fact, the prosecution party broke the wall of the petitioners for
which Nautan P.S. Case No.159 of 2016 was instituted against
the informant and his family members and on account of that
they instituted this false case. It is further submitted that
petitioner No.2, Rahul Pandey, instituted Nautan P.S. Case



No.294 of 2016 against the informant and others.

Case diary has been received.

Learned APP after going through the case diary has submitted that there is no mention of injury report in the case diary.

From the written report, it appears that there is general and omnibus allegation against the petitioners.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Nautan P.S. Case No.293 of 2016, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, VI, Bettiah, West Champaran, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the



petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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